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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Masahiko Gondoh **Examiner:** Unassigned  
**Serial No.:** 10/797,554 **Art Unit:** 2834  
**Filed:** March 10, 2004 **Docket:** 17524  
**For:** ELECTROSTATIC ACTUATOR AND **Dated:** November 1, 2004  
METHOD OF DISPLACEMENT  
**Conf. No.:** 4398

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. European Patent Application No. EP 1 202 099 A2, dated May 2, 2002;
2. German Patent No. DD 293 013, dated August 14, 1991;

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 1, 2004.

Dated: November 1, 2004

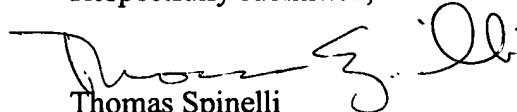
  
Thomas Spinelli

3. European Patent Application No. EP 1 193 853 A2, dated April 3, 2002; and
4. Great Britain Patent No. GB 500 161, dated February 3, 1939.

The references were cited in a Search Report dated October 12, 2004 received from the European Patent Office. Applicant is submitting copies of the above-cited references, together with a copy of the Search Report. Please note that the other reference cited in the Search Report, namely United States Patent No. 5,239,222, dated August 24, 1993, was previously submitted in applicant's Information Disclosure Statement dated March 10, 2004. The relevance of the above-identified references has been described in the Search Report. Also enclosed herewith is Statement Pursuant to 37 C.F.R. § 1.704(d).

Further, the undersigned hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

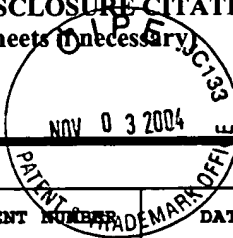
Respectfully submitted,

  
Thomas Spinelli  
Registration No. 39,533

Scully, Scott, Murphy & Presser  
400 Garden City Plaza - Stc. 300  
Garden City, New York 11530  
(516) 742-4343

TS:jam

<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)	Docket Number (Optional) <b>17524</b>	Application Number <b>10/797,554</b>
	Applicant(s) <b>Masahiko Gondoh</b>	
	Filing Date <b>March 10, 2004</b>	Group Art Unit <b>2834</b>



U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		EP 1 202 099 A2	5/2/2002	Europe				
		DD 293 013	8/14/1991	Germany				
		EP 1 193 853 A2	4/3/2002	Europe				
		GB 500 161	2/3/1939	Great Britain				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT****(Under 37 CFR 1.97(b) or 1.97(s))**

Docket No.

17524

In Re Application Of: **Masahiko Gondoh**

Application No.

10/797,554

Filing Date

March 10, 2004

Examiner

Unassigned

Customer No.

23389

Group Art Unit

2834

Confirmation No.

4398

Title: **ELECTROSTATIC ACTUATOR AND METHOD OF DISPLACEMENT**

Address to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

17524

In Re Application: Masahiko Gondoh

Application No.

10/797,554

Filing Date

March 10, 2004

Examiner

Unassigned

Customer No.

23389

Group Art Unit

2834

Confirmation No.

4398

Title: ELECTROSTATIC ACTUATOR AND METHOD OF DISPLACEMENT

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. \_\_\_\_\_)

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November 1, 2004  
(Date)

\_\_\_\_\_  
Signature of Person Mailing Correspondence

Thomas Spinelli

\_\_\_\_\_  
Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

\_\_\_\_\_  
Signature

Dated: November 1, 2004

Thomas Spinelli

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Alexandria, VA 22313-1450

**STATEMENT PURSUANT TO 37 C.F.R. § 1.704(d)**

Sir:

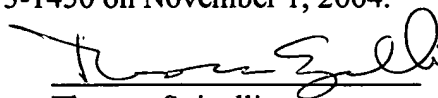
I hereby state that each item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

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Dated: November 1, 2004

  
Thomas Spinelli

Therefore, this Information Disclosure Statement cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c) (8), (c) (9), or (c) (10) of 37 C.F.R. § 1.704.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas Spinelli', with a stylized flourish at the end.

Thomas Spinelli  
Registration No. 39,533

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